



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HELMILING et al.

Application No. 10/522,582

Confirmation No. 6124

Filed: 26 January 2005

For: GHRELIN BINDING NUCLEIC
ACIDS

Art Unit: (Unassigned - New Appln.)

Examiner: (Unassigned - New Appln.)

Atty. Docket No. 116676-2

Customer No.

29180

29180

PATENT TRADEMARK OFFICE

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail Stop PCT

Sir:

In response to the Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated 24 February 2006, submitted herewith are the following:

- Executed Declaration & Power of Attorney
- Copy of Notice to File Missing Requirements
- Sequence Listing (CRF)
- Statement

OFFICIAL FEE:

Declaration surcharge

\$65.00

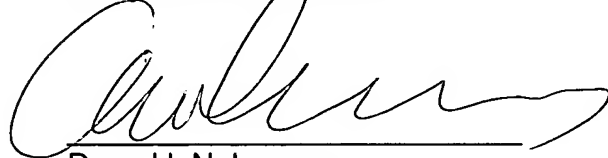
TOTAL FEE ENCLOSED:

\$65.00

Applicant: HELMLING et al.
Application No. 10/522,582

Applicants submit a check in the amount of the required fee (\$65.00). The Commissioner is hereby authorized to charge any additional fees which may be required for this Response, or to credit any overpayment, to Deposit Account No. 02-1818, and to notify the undersigned.

Respectfully submitted,



Dean H. Nakamura
Registration No. 33,981
BBL
1615 L Street, N.W.
Suite 1200
Washington, D.C. 20036

Telephone: (202) 955-6851
Facsimile: (202) 835-4143

Date: 23 May 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HELMILING et al.

Application No. 10/522,582

Confirmation No. 6124

Filed: 26 January 2005

For: GHRELIN BINDING NUCLEIC
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Atty. Docket No. 116676-2

Customer No.

29180

29180

PATENT TRADEMARK OFFICE

STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail Stop PCT

Sir:

Attached hereto is a CRF containing the Sequence Listing. The content of the CRF and of the Paper Copy of the Sequence Listing previously filed is the same.

Respectfully submitted,

Date: 23 May 2006

Dean H. Nakamura
Registration No. 33,981
BBL
1615 L Street, N.W.
Suite 1200
Washington, D.C. 20036
Telephone: (202) 955-6851
Facsimile: (202) 835-4143

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): HELMMLING et al.	Docket No. 116676-2
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Application No. 10/522,582	Filing Date 26 January 2005	Examiner TBA	Customer No. 29180	Group Art Unit TBA
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Invention:

GHRELIN BINDING NUCLEIC ACIDS

I hereby certify that the following correspondence:

- | | |
|---|---|
| 1. Transmittal Form | 5. Executed Declaration and Power of Attorney |
| 2. Fee Transmittal and check for \$125.00 | 6. Sequence Listing (CFR) and Statement |
| 3. Petition for Extension of Time for 1 month | 7. Postcard |
| 4. Response to Notice to File Missing Requirements and copy of Notice | |

(Identify type of correspondence)

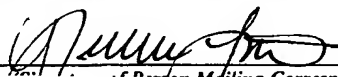
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 24, 2006

(Date)

Heather J. Foster

(Typed or Printed Name of Person Mailing Correspondence)



EV551749065US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.



05-2315 Rec'd PCT/PTO 24 MAY 2006

PTO/SB/21 (03-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/522,582
Filing Date	26 January 2005
First Named Inventor	Helming
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	116676-2

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Sequence Listing CRF
Executed Declaration
Statement re: Sequence Listing |
|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name
Bell, Boyd & Lloyd, PLLC

Signature

Printed name
Dean Nakamura

Date
23 May 2006

Reg. No. 33,981

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2005**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** \$ 125.00**Complete if Known**

Application Number	10/522,582
Filing Date	26 January 2005
First Named Inventor	S. Helmling et al.
Examiner Name	(New Application – Unassigned)
Art Unit	(New Application – Unassigned)
Attorney Docket No.	116676-2

METHOD OF PAYMENT (check all that apply)
☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
 Deposit
Account
Number
Deposit
Account
Name

02-1818

Bell, Boyd & Lloyd PLLC

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) under 1.16 or 1.17 during pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims		X	
Independent Claims		X	
Multiple Dependent		X	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202		2202		Claims in excess of 20
1201		2201		Independent claims in excess of 3
1203		2203		Multiple dependent claim, if not paid
1204		2204		** Reissue independent claims over original patent
1205		2205		** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing request for ex parte reexam	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	60.00
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,370	2453	685	Petition to revive – unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

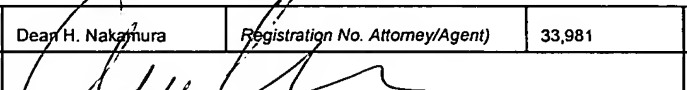
Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$125.00)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Dean H. Nakamura	Registration No. Attorney/Agent	33,981	Telephone	(202) 955-6851
Signature				Date	23 May 2006

 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

03/31/2006 07:27:01 00000122 10522582

J. JOSEPH

35:00 CP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,582	Steffen Helmling	2502491-991150

INTERNATIONAL APPLICATION NO.
PCT/EP03/08542

35928

DLA PIPER RUDNICK GRAY CARY US, LLP
 1625 MASSACHUSETTS AVENUE, NW
 SUITE 300
 WASHINGTON, DC 20036-2247

**DLA PIPER RUDNICK
 GRAY CARY US LLP**

MAR - 1 2006

I.A. FILING DATE	PRIORITY DATE
08/01/2003	08/01/2002

CONFIRMATION NO. 6124

371 FORMALITIES LETTER



OC000000018127272

Date Mailed: 02/24/2006

Due: 4-24-06

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/26/2005
- Copy of the International Search Report filed on 01/26/2005
- U.S. Basic National Fees filed on 01/30/2006
- Priority Documents filed on 01/30/2006
- Specification filed on 01/30/2006
- Claims filed on 01/30/2006
- Abstracts filed on 01/30/2006
- Drawings filed on 01/30/2006
- Paper nucleotide sequence listings filed on 01/30/2006

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

MAR 06 2006

ATTY *[Signature]*
 DOCKET # *116127272-002*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where

applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,582	PCT/EP03/08542	2502491-991150